



INDIANA DEPARTMENT OF TRANSPORTATION

Driving Indiana's Economic Growth

Memorandum

January 25, 2007

CONSTRUCTION MEMORANDUM 07-03

TO: District Deputy Commissioners
District Highway Operation Directors
District Construction Engineers
District Testing Engineers
District Area Engineers
Project Engineers/Supervisors

FROM: ^{MAM} Mark A. Miller, Director
Division of Construction Management

SUBJECT: Monitoring of Suspended or Debarred Firms

The United States Department of Transportation recently amended Federal Regulations regarding suspended or debarred firms. Prior to the amendment, the regulation only applied to firms with prime contracts. The amendment made the regulation applicable to lower-tier subcontracts, which includes subcontractors and material suppliers. A letter explaining this change was sent to all contractors and is attached to this memorandum.

The Department will monitor compliance with this regulation through four methods:

1. The prequalification process
 2. The subcontract approval process
 3. The Office of Materials Management will check the list before approving any material supplier
 4. Monitoring by project personnel of any firms not requiring prequalification or subcontract approval.
- The list of firm/individuals identified on the website as of 1/25/07 is attached.

This list could change at anytime and you are encouraged to check the DOT website listed in the letter periodically. The Construction Management Division will send a weekly email communication to the District Construction Offices with a revised list or notification that no changes have occurred.

Since the contractor is required to supply a list of subcontractors and suppliers, the Preconstruction Conference would be a good time to check this list. The Construction Management Division will assist with any questions related to this procedure.

MAM:sc
attachment



INDIANA DEPARTMENT OF TRANSPORTATION

Driving Indiana's Economic Growth

100 North Senate Avenue
Room N855
Indianapolis, Indiana 46204-2216 (317) 232-3166 FAX: (317) 232-0238

Mitchell E. Daniels, Jr., Governor
Karl B. Browning, Commissioner

December 18, 2006

RE: Suspension and Debarment Regulation Changed

Dear INDOT Contractor:

Recently, the United States Department of Transportation (DOT) adopted an amendment to 49 CFR 29.220 that no longer allows suspended or debarred firms to be awarded lower-tier subcontracts on federal-aid projects. Under the new rule, no suspended or debarred firm may participate in a subcontract, under a non-procurement transaction, that is expected to equal or exceed \$25,000. Suspended or debarred contractors continue to be precluded from receiving prime contracts. This rule went into effect on November 24, 2006.

As a result of this new rule, no contractor, supplier, consultant or its agent or representative may participate in any transaction, regardless of tier, with a suspended or debarred firm under a nonprocurement transaction that is expected to equal or exceed \$25,000. A list of suspended or debarred firms, known as the Government Excluded Party Listing System, is maintained by the General Services Administration and can be accessed online at <http://www.epls.gov/>.

You may search for individual firms by typing the name of the company in the box located in the upper left corner of the page. You can get a list of all firms debarred by the DOT by clicking "Advanced Search" on the upper left corner of the page. Under "Agency" scroll down and select "DOT-FHWA" and under "State" scroll down and select "INDIANA." This advanced search will show all companies and individuals currently suspended or debarred. Click on the company or the name of the individual for more information about their status.

It is the contractor's affirmative obligation to ensure that the person it intends to do business with is not excluded or disqualified. The contractor can do this by checking the Government Excluded Party Listing System, collecting a certification from the person, or adding a clause or condition to the transaction with the person.

If a contractor enters into a transaction with a firm that is on the Government Excluded Party Listing System for a federal-aid contract that is equal or above \$25,000 after November 24, 2006, INDOT may terminate its transaction with the prime contractor and refer the prime contractor to INDOT's Prequalification Committee. To ensure compliance with the new provision in 49 CFR §29.220 for all federal-aid contracts, INDOT will instruct all of its project engineers to monitor compliance. Compliance with the new rule also will be monitored through the subcontract approval process.

Should you have questions regarding the recent change in the federal rules regarding suspended or debarred firms, please contact Jack Riggs, Claims Administrator and Attorney for INDOT's Construction Management Division, at (317) 232-5324.

Sincerely,

Mark A. Miller
Director of Construction Management

Report Results Excluded By
State : INDIANA
Agency : DOT-FHWA
as of 25-Jan-2007

Name	Builder's Concrete & Supply Co., Inc.
Classification	Firm
Exclusion Type	Reciprocal
Description	none

Address(es) --	Address	9170 E. 131st Street, Fishers, IN, 46038-3545
	DUNS	none

CT Action(s) --	Action Date	02-Aug-2006
	Termination Date	Indef.
	CT Code	S
	Agency	DOT-FHWA
	Action Status	Created (04-Aug-2006)

Cross Reference(s) --	Action Date	Term Date	CT Code
Name	02-Aug-2006	Indef.	S
1. Nuckols, Gus B., III			

Name	Butler, Daniel C.
Classification	Individual
Exclusion Type	Reciprocal
Description	none

Address(es) --	Address	Greenfield, IN, 46140
	DUNS	none

CT Action(s) --	Action Date	18-Dec-2005
	Termination Date	22-Aug-2008
	CT Code	T
	Agency	DOT-FHWA
	Action Status	Modified (20-Jan-2006)

Cross Reference(s) --	Action Date	Term Date	CT Code
Name	15-Dec-2005	22-Aug-2008	R
1. Huggins, John			
2. Irving, Fred R. "Pete"	19-Dec-2005	22-Aug-2008	T
3. Irving, Price	22-Aug-2005	Indef.	S

Name	Carmel Concrete Products
Classification	Firm
Exclusion Type	Reciprocal
Description	none
Cage Code	

Address(es) --	Address	12368 Hancock Street, Carmel, IN, 46032-5807
	DUNS	none

CT Action(s) --	Action Date	31-Oct-2006
	Termination Date	02-Aug-2009
	CT Code	R
	Agency	DOT-FHWA
	Action Status	Created (09-Nov-2006)

Cross Reference(s) --	Action Date	Term Date	CT Code
Name	02-Aug-2006	Indef.	S
1. Hughey, Scott D.			

Name Huggins, John
 Classification Individual
 Exclusion Type Reciprocal
 Description none

Address(es) --
 Address Greenfield, IN, 46140
 DUNS none

CT Action(s) --
 Action Date 15-Dec-2005
 Termination Date 22-Aug-2008
 CT Code R
 Agency DOT-FHWA
 Action Status Modified (22-Dec-2005)

Cross Reference(s) --	Action Date	Term Date	CT Code
Name			
1. Butler, Daniel C.	18-Dec-2005	22-Aug-2008	T
2. Irving, Fred R. "Pete"	19-Dec-2005	22-Aug-2008	T
3. Irving, Price	22-Aug-2005	Indef.	S

Name Hughey, Scott D.
 Classification Individual
 Exclusion Type Reciprocal
 Description none

Address(es) --
 Address Carmel, IN, 46032-5807
 DUNS none

CT Action(s) --
 Action Date 02-Aug-2006
 Termination Date Indef.
 CT Code S
 Agency DOT-FHWA
 Action Status Created (04-Aug-2006)

Cross Reference(s) --	Action Date	Term Date	CT Code
Name			
1. Carmel Concrete Products	31-Oct-2006	02-Aug-2009	R

Name Irving, Fred R. "Pete"
 Classification Individual
 Exclusion Type Reciprocal
 Description none

Address(es) --
 Address Greenfield, IN, 46140
 DUNS none

CT Action(s) --
 Action Date 19-Dec-2005
 Termination Date 22-Aug-2008
 CT Code T
 Agency DOT-FHWA
 Action Status Modified (01-Feb-2006)

Cross Reference(s) --	Action Date	Term Date	CT Code
Name			
1. Butler, Daniel C.	18-Dec-2005	22-Aug-2008	T
2. Huggins, John	15-Dec-2005	22-Aug-2008	R
3. Irving, Price	22-Aug-2005	Indef.	S

Name Irving, Price
 Classification Individual

Exclusion Type
Description

Reciprocal
none

Address(es) --

Address
DUNS

Greenfield, IN, 46140
none

CT Action(s) --

Action Date
Termination Date
CT Code
Agency
Action Status

22-Aug-2005
Indef.
S
DOT-FHWA
Created (23-Aug-2005)

Cross Reference(s) --

Name
1. Butler, Daniel C.
2. Huggins, John
3. Irving, Fred R. "Pete"

Action Date
18-Dec-2005
15-Dec-2005
19-Dec-2005

Term Date
22-Aug-2008
22-Aug-2008
22-Aug-2008

CT Code
T
R
T

Name
Classification
Exclusion Type
Description

John Huggins
Individual
Reciprocal
none

Address(es) --

Address
DUNS

Greenfield, IN, 46140
none

CT Action(s) --

Action Date
Termination Date
CT Code
Agency
Action Status

15-Dec-2005
22-Aug-2008
R
DOT-FHWA
Created (20-Dec-2005)

Name
Classification
Exclusion Type
Description

Larry L. Lee
Individual
Reciprocal
none

Address(es) --

Address
DUNS

North Vernon, IN, 47265
none

CT Action(s) --

Action Date
Termination Date
CT Code
Agency
Action Status

22-Feb-2006
Indef.
S
DOT-FHWA
Created (28-Feb-2006)

Cross Reference(s) --

Name
1. Lee's Ready Mix & Trucking, Inc.

Action Date
22-Feb-2006
25-Apr-2006

Term Date
Indef.
22-Feb-2009

CT Code
S
R

Name
Classification
Exclusion Type
Description

Larry L. Lee
Individual
Reciprocal
none

Address(es) --

Address
DUNS

North Vernon, IN, 47265
none

CT Action(s) --

Action Date 22-Feb-2006
 Termination Date Indef.
 CT Code S
 Agency DOT-FHWA
 Action Status Created (28-Feb-2006)

Action Date 25-Apr-2006
 Termination Date 22-Feb-2009
 CT Code R
 Agency DOT-FHWA
 Action Status Created (28-Feb-2006)

Cross Reference(s) --

Name	Action Date	Term Date	CT Code
1. Lee's Ready Mix & Trucking, Inc.	22-Feb-2006	Indef.	S

Name Lee's Ready Mix & Trucking, Inc.
 Classification Firm
 Exclusion Type Reciprocal
 Description none

Address(es) --

Address	DUNS
130 North State Street, North Vernon, IN, 47265	none

CT Action(s) --

Action Date 22-Feb-2006
 Termination Date Indef.
 CT Code S
 Agency DOT-FHWA
 Action Status Created (28-Feb-2006)

Cross Reference(s) --

Name	Action Date	Term Date	CT Code
1. Larry L. Lee	22-Feb-2006	Indef.	S
	25-Apr-2006	22-Feb-2009	R

Name Lee's Ready Mix & Trucking, Inc.
 Classification Individual
 Exclusion Type Reciprocal
 Description none

Address(es) --

Address	DUNS
North Vernon, IN, 47265	none

CT Action(s) --

Action Date 22-Feb-2006
 Termination Date Indef.
 CT Code S
 Agency DOT-FHWA
 Action Status Created (28-Feb-2006)

Action Date 25-Apr-2006
 Termination Date 22-Feb-2009
 CT Code R
 Agency DOT-FHWA
 Action Status Created (28-Feb-2006)

Cross Reference(s) --

Name	Action Date	Term Date	CT Code
1. Larry L. Lee	22-Feb-2006	Indef.	S

Name Nuckols, Gus B., III
 Classification Individual
 Exclusion Type Reciprocal
 Description none

Address(es) --

Address	DUNS
Fishers, IN, 46038-3545	none

CT Action(s) --

Action Date	Termination Date	CT Code	Agency	Action Status
02-Aug-2006	Indef.	S	DOT-FHWA	Created (04-Aug-2006)

Cross Reference(s) --

Name	Action Date	Term Date	CT Code
1. Builder's Concrete & Supply Co., Inc.	02-Aug-2006	Indef.	S

1/25/07

Name	Address 1	Address 2	City	State/Cour	Zip	Termination Date
Builder's C	9170 E. 131st Street		Fishers	IN	46038-354 (Also Nuckols, Gus B., III)	2-Aug-06 Indef.
Butler, Daniel C.			Greenfield	IN	46140 (Also Huggins, John; Irving, Fred R. Pete"; Irving	18-Dec-05 22-Aug-08
Carmel Co	12368 Hancock Street		Carmel	IN	46032-580 (Also Hughey, Scott D.)	31-Oct-06 2-Aug-09
Huggins, John			Greenfield	IN	46140 (Also Butler, Daniel C.; Irving, Fred R. Pete"; Irving	15-Dec-05 22-Aug-08
Hughey, Scott D.			Carmel	IN	46032-580 (Also Carmel Concrete Products)	2-Aug-06 Indef.
Irving, Fred R. Pete"			Greenfield	IN	46140 (Also Butler, Daniel C.; Huggins, John; Irving, Price)	19-Dec-05 22-Aug-08
Irving, Price			Greenfield	IN	46140 (Also Butler, Daniel C.; Huggins, John; Irving, Fred R. Pete"; Irving	22-Aug-05 Indef.
John Huggins			Greenfield	IN	46140	15-Dec-05 22-Aug-08
Larry L. Lee			North Vern	IN	47265 (Also Lee's Ready Mix & Trucking, Inc.)	22-Feb-06 Indef.
Larry L. Lee			North Vern	IN	47265 (Also Lee's Ready Mix & Trucking, Inc.)	22-Feb-06 Indef.
Lee's Reac	130 North State Street		North Vern	IN	47265 (Also Larry L. Lee)	22-Feb-06 Indef.
Lee's Ready Mix & Trucking, Inc.			North Vern	IN	47265 (Also Larry L. Lee)	22-Feb-06 Indef.
Nuckols, Gus B., III			Fishers	IN	46038-354 (Also Builder's Concrete & Supply Co., Inc.)	2-Aug-06 Indef.